

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: L. HANS PFEILER	Confirmation No. 6384
Serial No	: 10/804,132	Group Art Unit: 1725
Filed	: March 19, 2004	Examiner: J. J. Johnson
For	: DEVICE AND METHOD FOR CONNECTING THE FACES OF PARTS	

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief-Patents
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Sir:

This appeal is from the Examiner's final rejection of claims 31-35, 53, 55 and 56 as set forth in the Final Office Action of December 22, 2006. A Notice of Appeal and Request for Pre-Appeal Brief Review, in response to the December 22, 2006 Final Office Action, was filed on May 22, 2007. A Panel Decision issued on June 29, 2007. The instant Appeal Brief is being timely submitted within one month of the Panel Decision, i.e., by July 30, 2007 (July 29, 2007 being a Sunday).

Payment for the requisite fee under 37 C.F.R. 41.20(b)(2) in the amount of \$ 500.00 for the filing of the Appeal Brief is being filed concurrently herewith. No extensions of time are believed to be required. If for any reason a necessary fee is required for consideration of the instant paper, authorization is hereby given to charge the fee for the Appeal Brief and any necessary extension of time fees to Deposit Account No. 19-0089.

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(I) REAL PARTY IN INTEREST

The real party in interest is voestalpine Schienen GmbH by an assignment recorded in the U.S. Patent and Trademark Office on May 12, 2004 at Reel 015321 and Frame 0338 in the instant US Patent Application No. 10/804,132.

(II) RELATED APPEALS AND INTERFERENCES

No related appeals and/or interferences are pending.

(III) STATUS OF THE CLAIMS

Claims 31-56 are pending. Claims 13-30, 36-52 and 54 are withdrawn by the Examiner. Claims 31-35, 53, 55 and 56 stand finally rejected and are the subject of the instant Appeal.

(IV) STATUS OF THE AMENDMENTS

A Response under 37 C.F.R. § 1.116 was filed on March 22, 2007 requesting reconsideration of the finally rejected claims. Appellant submits that no amendments after final have been filed. An Advisory Action was issued on April 25, 2007 indicating that the Response was considered but did not place the application in condition for allowance.

(V) SUMMARY OF THE CLAIMED SUBJECT MATTER

A. The Claimed Subject Matter

1. INDEPENDENT CLAIM 31

With reference to page 2, line 26 through page 12, line 7 of the instant application (see Clean version of the Substitute Specification) and to the figure, and by way of non-limiting example, the invention provides for a method for joining parts (1, 1') having a profiled cross-section and a length which is greater than an overall width of the profiled cross-section (see figure and page 2, lines 26-

28) by friction welding using a device (A) for joining faces (12, 12') of parts having great longitudinal extension by friction welding, the device (A) comprising first and second clamping arrangements (2, 2') structured and arranged to position ends (11, 11') of the parts against one another (figure), at least one of the first and second clamping arrangements (2, 2') being axially movable with respect to another of the first and second clamping arrangements (see page 11, lines 13-17 of the Substitute Specification), and at least one of the first and second clamping arrangements being movable along a direction that is parallel to a part cross-sectional plane defined by an end face of one of the parts (see page 5, lines 8-12 and page 11, lines 8-11 and 20-23 of the Substitute Specification). The method comprises arranging ends (11, 11') of the parts (1, 1') opposite one another, wherein the ends are provided with flat axially normal cross-sectional surfaces (12, 12'). The method also comprises pressing the cross-sectional surfaces against one another and moving an axis of at least one of the parts relative to an axis of another of the parts, such that face areas of the ends are brought to one of an increased temperature or a joining temperature (see page 4, lines 20-28 and page 11, lines 13-26 of the Substitute Specification). Additionally, the method comprises axially aligning the parts (see page 11, line 26 to page 12, line 2 of the Substitute Specification) and metallically bonding the parts (see page 3, lines 3-6 of the Substitute Specification). During the pressing, the parts do not rotate and at least one of the ends of the parts is moved around a joint axis in a circulating manner (see page 5, lines 1-5 and 13-15 of the Substitute Specification).

2. INDEPENDENT CLAIM 33

With reference to page 2, line 26 through page 12, line 7 of the instant application (see Clean version of the Substitute Specification) and to the figure, and by way of non-limiting example, the

invention provides for a method for joining parts (1, 1') having a profiled cross-section and a length which is greater than an overall width of the profiled cross-section (see figure and page 2, lines 26-28) by friction welding. The method comprises arranging ends (11, 11') of the parts (1, 1') opposite one another, wherein the ends are provided with flat axially normal cross-sectional surfaces (12, 12'). The method also comprises pressing the cross-sectional surfaces against one another by moving at least one of the ends axially relative to another of the ends, such that face areas of the ends are brought to one of an increased temperature or a joining temperature (see page 4, lines 20-28 and page 11, lines 13-26 of the Substitute Specification). Additionally, the method comprises axially aligning the parts (see page 11, line 26 to page 12, line 2 of the Substitute Specification) and metallurgically bonding the parts (see page 3, lines 3-6 of the Substitute Specification). During the pressing, the parts do not rotate and at least one of the ends of the parts is moved around a joint axis in a circulating manner (see page 5, lines 1-5 and 13-15 of the Substitute Specification).

3. INDEPENDENT CLAIM 53

With reference to page 2, line 26 through page 12, line 7 of the instant application (see Clean version of the Substitute Specification) and to the figure, and by way of non-limiting example, the invention provides for a method for joining two parts (1, 1') having a length which is greater than an overall width of the profiled cross-section (see figure and page 2, lines 26-28) by friction welding using a device (A) for friction welding parts. The device (A) comprises first and second clamping arrangements (2, 2') structured and arranged to position ends (11, 11') of the parts (1, 1') against one another. At least one of the first and second clamping arrangements (2, 2') is axially movable with respect to another of the first and second clamping arrangements (see page 4, lines 20-28 and page

11, lines 13-26 of the Substitute Specification). First and second moving devices (3, 3') respectively move the first and second clamping arrangements (2, 2') along a direction that is parallel to a part cross-sectional plane (see page 5, lines 8-12 and page 11, lines 8-11 and 20-23 of the Substitute Specification). First and second control devices (31, 31') control movement of the first and second moving devices (see page 11, lines 4-8 and 26-28 of the Substitute Specification). The part cross-sectional plane is defined by an end face of one of the parts (see page 5, lines 1-12 and page 11, lines 13-17 of the Substitute Specification). The method comprises clamping the parts in first and second clamping arrangements (2, 2'), the first clamping arrangement (2) surrounding a portion of one of the parts and the second clamping arrangement (2') surrounding a portion of another of the parts (see figure). The method also comprises arranging ends of the two parts opposite one another (see figure), pressing the ends against one another by moving at least one of the ends axially relative to another of the ends (see page 4, lines 20-28 and page 11, lines 13-26 of the Substitute Specification), moving the ends relative to each other along a direction which is parallel to an end surface of at least one of the ends (see page 5, lines 8-12 and page 11, lines 8-11 and 20-23 of the Substitute Specification), axially aligning the parts (see page 11, line 26 to page 12, line 2 of the Substitute Specification), and metallicity bonding the ends of the two parts (see page 3, lines 3-6 of the Substitute Specification). During the pressing, the parts do not rotate and at least one of the ends of the parts is moved around a joint axis in a circulating manner (see page 5, lines 1-5 and 13-15 of the Substitute Specification).

(VI) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 31-35, 53, 55 and 56 are improperly rejected under 35 U.S.C. § 102(b) as anticipated by US Patent No. 3,732,613 to STEIGERWALD.

(VII) ARGUMENT RE. PRIOR ART REJECTIONS

The rejection of claims 31-35, 53, 55 and 56 under 35 U.S.C. § 102(b) as anticipated by US Patent No. 3,732,613 to STEIGERWALD is in error and should be reversed.

REJECTION OF INDEPENDENT CLAIM 31 UNDER 35 U.S.C. § 102 IS IN ERROR

The rejection of claim 31 under 35 U.S.C. § 102(b) as being anticipated by STEIGERWALD is in error and should be reversed.

In the rejection, the Examiner asserted that this document discloses all the features recited in this claim. Appellant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what this document discloses or suggests, Appellant submits that no proper reading of STEIGERWALD discloses or suggests: *inter alia*, a method for joining parts having *a profiled cross-section and a length which is greater than an overall width of the profiled cross-section* by friction welding, as recited in each of amended independent claim 31.

Appellant acknowledges that Fig. 1 of STEIGERWALD apparently discloses an arrangement which can friction weld parts 28 and 20. However, the disclosed arrangement is able to weld the parts by securing opposite ends of the parts to plates (e.g., plate 18). While such an arrangement can function to weld parts which are shorter in length than their cross-sectional width (as is shown in Fig. 1), it is not apparent that such a device could friction weld parts which have, among other things, a length which is greater than an overall width of the profiled cross-section.

Appellant submits that one having ordinary skill in the art would define the term “length” as the axial length of the parts 20 and 28, and not the diameter of these parts as asserted by the Examiner in the Interview. Under the proper definition of this term, the length of tubular parts 20 and 28, for example, is properly determined to be a length measured in a direction of the axis of the parts 20 and 28, and cannot reasonably be characterized as their diameters, as asserted by the Examiner.

Appellant submits that the Examiner is improperly ignoring the plain language of the claims, and ignoring what STEIGERWALD actually discloses, in favor of an unsupported assertion of what the Examiner would like STEIGERWALD to disclose. STEIGERWALD does not disclose an arrangement which friction weld parts having a profiled cross-section in combination with the parts also having a length which is greater than an overall width of the profiled cross-section. Appellant submits that this is improper and contrary to the disclosure of STEIGERWALD which teaches one part 20 having a circular cross-section and another part 28 having a profiled cross-section. Thus, only 28 (not part 20) has a profiled cross-section.

In the Interview, the Examiner clarified that he may properly interpret the axial width of the inner circumferential surface of part 20 in Fig. 1 as the recited profiled cross-section of the parts. While acknowledging the Examiner is entitled to broadly interpret the recited terms, Appellant notes the limitation on the Examiner to give the broadest reasonable interpretation. As STEIGERWALD is directed to welding tubes and cylinders (see e.g., col. 1, lines 21-29 and the figures), having lengths and diameters, the Examiner’s interpretation of the diameter as the length of the workpiece is unreasonable in light of the disclosure of STEIGERWALD.

Thus, the above noted rejection of claim 31 is improper for the reasons stated above and should be reversed.

REJECTION OF INDEPENDENT CLAIM 33 UNDER 35 U.S.C. § 102 IS IN ERROR

The rejection of claim 33 under 35 U.S.C. § 102(b) as being anticipated by STEIGERWALD is in error and should be reversed.

In the rejection, the Examiner asserted that this document discloses all the features recited in this claim. Appellant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what this document discloses or suggests, Appellant submits that no proper reading of STEIGERWALD discloses or suggests: inter alia, a method for joining parts having *a profiled cross-section and a length which is greater than an overall width of the profiled cross-section* by friction welding, as recited in each of amended independent claim 33.

Appellant acknowledges that Fig. 1 of STEIGERWALD apparently discloses an arrangement which can friction weld parts 28 and 20. However, the disclosed arrangement is able to weld the parts by securing opposite ends of the parts to plates (e.g., plate 18). While such an arrangement can function to weld parts which are shorter in length than their cross-sectional width (as is shown in Fig. 1), it is not apparent that such a device could friction weld parts which have, among other things, a length which is greater than an overall width of the profiled cross-section.

Appellant also submits that one having ordinary skill in the art would define the term “length” as the axial length of the parts 20 and 28, and not the diameter of these parts as asserted by the Examiner in the Interview. Appellant emphasizes that under the proper definition of this term,

the length of tubular parts 20 and 28, for example, is properly determined to be a length measured in a direction of the axis of the parts 20 and 28, and cannot reasonably be characterized as their diameters. Accordingly, Appellant submits that the Examiner is improperly ignoring the plain language of the claims, and ignoring what STEIGERWALD actually discloses, in favor of an unsupported assertion of what the Examiner would like STEIGERWALD to disclose.

Finally, Appellant submits that STEIGERWALD does not disclose an arrangement which friction weld parts having a profiled cross-section in combination with the parts also having a length which is greater than an overall width of the profiled cross-section. In the Interview, the Examiner clarified that he may properly interpret the axial width of the inner circumferential surface of part 20 in Fig. 1 as the recited profiled cross-section of the parts. Appellant submits that this is improper and contrary to the disclosure of STEIGERWALD. STEIGERWALD teaches one part 20 having a circular cross-section and another part 28 having a profiled cross-section. Thus, only 28 (not part 20) has a profiled cross-section.

Thus, the above noted rejection of claim 33 is improper for the reasons stated above and should be reversed.

REJECTION OF INDEPENDENT CLAIM 53 UNDER 35 U.S.C. § 102 IS IN ERROR

The rejection of claim 53 under 35 U.S.C. § 102(b) as being anticipated by STEIGERWALD is in error and should be reversed.

In the rejection, the Examiner asserted that this document discloses all the features recited in this claim. Appellant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what this document discloses or suggests,

Appellant submits that no proper reading of STEIGERWALD discloses or suggests: inter alia, a method for joining two parts having *a length which is greater than an overall width of the profiled cross-section* by friction welding, as recited in each of amended independent claim 53.

Appellant also submits that no proper reading of STEIGERWALD discloses or suggests: inter alia, that the method comprises *clamping the parts in first and second clamping arrangements, the first clamping arrangement surrounding a portion of one of the parts and the second clamping arrangement surrounding a portion of another of the parts*, as recited in amended independent claim 53.

Appellant acknowledges that Fig. 1 of STEIGERWALD apparently discloses an arrangement which can friction weld parts 28 and 20. However, the disclosed arrangement is able to weld the parts by securing opposite ends of the parts to plates (e.g., plate 18). While such an arrangement can function to weld parts which are shorter in length than their cross-sectional width (as is shown in Fig. 1), it is not apparent that such a device could friction weld parts which have, among other things, a length which is greater than an overall width of the profiled cross-section.

Appellant also submits that one having ordinary skill in the art would define the term “length” as the axial length of the parts 20 and 28, and not the diameter of these parts as asserted by the Examiner in the Interview. Appellant emphasizes that under the proper definition of this term, the length of tubular parts 20 and 28, for example, is properly determined to be a length measured in a direction of the axis of the parts 20 and 28, and cannot reasonably be characterized as their diameters. Accordingly, Appellant submits that the Examiner is improperly ignoring the plain language of the claims, and ignoring what STEIGERWALD actually discloses, in favor of an

unsupported assertion of what the Examiner would like STEIGERWALD to disclose.

Appellant also submits that STEIGERWALD does not disclose an arrangement which friction weld parts having a profiled cross-section in combination with the parts also having a length which is greater than an overall width of the profiled cross-section. In the Interview, the Examiner clarified that he may properly interpret the axial width of the inner circumferential surface of part 20 in Fig. 1 as the recited profiled cross-section of the parts. Appellant submits that this is improper and contrary to the disclosure of STEIGERWALD. STEIGERWALD teaches one part 20 having a circular cross-section and another part 28 having a profiled cross-section. Thus, only 28 (not part 20) has a profiled cross-section.

In the Interview, the Examiner explained that the screws 38 and 40 constitute part of a clamping arrangement that surrounds at least a portion of part 20. However, no reasonable interpretation of STEIGERWALD supports this assertion. Appellant notes that while part 20 is clamped to plate 18 by screws 22, 24, links 30 and 32, which are part of the parallelogram linkage to carriage 34, are connected to plate 18, and form no part of the clamping device which holds or clamps the part 20. Further, even assuming one were to consider the links part of a clamping arrangement (which Appellant submits is improper), Appellant submits that this interpretation ignores any reasonable interpretation of the term “surrounding”, by failing to consider that only part 20 (not part 28) is covered by any part of the screws 38 and 40, and is contrary to the disclosure of STEIGERWALD.

Appellant also does not dispute that STEIGERWALD teaches to use screws 38/40 to secure the plate 18 to links 30/32. However, it is not understood how the screws 38, 40 can be interpreted

to encircle on all sides the part 20, see e.g., Fig. 2 where the screws are arranged at a top and a bottom of the part 20. The term “surround” means to encircle on all sides simultaneously according to Webster’s II, *New College Dictionary*. Further, even if the Examiner were correct that two screws can reasonably be interpreted as encircling all sides of part 20 (which Appellant disputes), the Examiner must acknowledge that the screws 38/40 in Fig. 1 clearly do not cover or encircle any portion of the other part 28. Nor can the Examiner properly argue that the screws 38/40 are structured and arranged to position ends of the parts against one another as recited in claim 53. Again, the screws 38/40 in STEIGERWALD merely connect the links 30/32 to the plate 18 (see col. 7, lines 2-9 of STEIGERWALD). Thus, it is submitted the Examiner is again improperly interpreting or ignoring the claim language, and improperly ignoring what STEIGERWALD actually discloses, in favor of an unsupported assertion of what the Examiner would like STEIGERWALD to disclose.

Thus, the above noted rejection of claim 53 is improper for the reasons stated above and should be reversed.

REJECTION OF DEPENDENT CLAIM 32 UNDER 35 U.S.C. § 102 IS IN ERROR

The rejection of claim 32 under 35 U.S.C. § 102(b) as being anticipated by STEIGERWALD is in error and should be reversed.

In the rejection, the Examiner asserted that this document discloses all the features recited in this claim. Appellant respectfully traverses this rejection.

Claim 32 depends from claim 31 and further recites:

after the axially aligning, forcing the ends of the parts together.

In addition to the reasons noted above with regard to claim 31, STEIGERWALD also fails to teach the features of claim 32. Appellant notes that col. 8, lines 19-24 and col. 9, lines 2-12 of STEIGERWALD makes clear that the axial alignment occurs during the application of the axial forces. Nor has the Examiner pointed to any language in STEIGERWALD which specifically discloses that after the axially aligning, forcing the ends of the parts together.

Thus, the above noted rejection of claim 32 is improper for the reasons stated above and should be reversed.

REJECTION OF DEPENDENT CLAIM 34 UNDER 35 U.S.C. § 102 IS IN ERROR

The rejection of claim 34 under 35 U.S.C. § 102(b) as being anticipated by STEIGERWALD is in error and should be reversed.

In the rejection, the Examiner asserted that this document discloses all the features recited in this claim. Appellant respectfully traverses this rejection.

Claim 34 depends from claim 33 and further recites:

after the axially aligning, forcing the ends of the parts together to produce an all-over metallic bonding of the ends of the parts.

In addition to the reasons noted above with regard to claim 33, STEIGERWALD also fails to teach the features of claim 34. Appellant notes that col. 8, lines 19-24 and col. 9, lines 2-12 of STEIGERWALD makes clear that the axial alignment occurs during the application of the axial forces. Nor has the Examiner pointed to any language in STEIGERWALD which specifically discloses that after the axially aligning, forcing the ends of the parts together to produce an all-over metallic bonding of the ends of the parts.

Thus, the above noted rejection of claim 34 is improper for the reasons stated above and should be reversed.

REJECTION OF DEPENDENT CLAIM 55 UNDER 35 U.S.C. § 102 IS IN ERROR

The rejection of claim 55 under 35 U.S.C. § 102(b) as being anticipated by STEIGERWALD is in error and should be reversed.

In the rejection, the Examiner asserted that this document discloses all the features recited in this claim. Appellant respectfully traverses this rejection.

Claim 55 depends from claim 31 and further recites:

clamping the parts in first and second clamping arrangements, the first clamping arrangement surrounding a portion of one of the parts and the second clamping arrangement surrounding a portion of another of the parts.

In addition to the reasons noted above with regard to claim 31, STEIGERWALD also fails to teach the features of claim 55.

In the Interview, the Examiner explained that the screws 40 constitute part of a clamping arrangement that surrounds at least a portion of part 20. Appellant submits that this assertion ignores the meaning of the term “surrounding”, fails to consider that only part 20 (not part 28) is covered by any part of the screws 40, and is contrary to the disclosure of STEIGERWALD.

Appellant does not dispute that STEIGERWALD teaches to use screws 38/40 to secure the plate 18 to links 30/32. However, it is not understood how the screws 40 can be interpreted to encircle on all sides any portion of the part 20. The term “surround” means to encircle on all sides simultaneously according to Webster’s II, *New College Dictionary*. Further, even if the Examiner

were correct that the screws 38/40 encircle all sides of part 20 (which Appellant disputes), the Examiner must acknowledge that the screws 38/40 in Fig. 1 clearly do not cover or encircle any portion of the other part 28. Thus, it is submitted the Examiner is improperly interpreting or ignoring the claim language, and improperly ignoring what STEIGERWALD actually discloses, in favor of an unsupported assertion of what the Examiner would like STEIGERWALD to disclose.

Thus, the above noted rejection of claim 55 is improper for the reasons stated above and should be reversed.

REJECTION OF DEPENDENT CLAIM 56 UNDER 35 U.S.C. § 102 IS IN ERROR

The rejection of claim 56 under 35 U.S.C. § 102(b) as being anticipated by STEIGERWALD is in error and should be reversed.

In the rejection, the Examiner asserted that this document discloses all the features recited in this claim. Appellant respectfully traverses this rejection.

Claim 56 depends from claim 33 and further recites:

clamping the parts in first and second clamping arrangements, the first clamping arrangement surrounding a portion of one of the parts and the second clamping arrangement surrounding a portion of another of the parts.

In addition to the reasons noted above with regard to claim 33, STEIGERWALD also fails to teach the features of claim 56.

In the Interview, the Examiner explained that the screws 40 constitute part of a clamping arrangement that surrounds at least a portion of part 20. Appellant submits that this assertion ignores the meaning of the term “surrounding”, fails to consider that only part 20 (not part 28) is covered by

any part of the screws 40, and is contrary to the disclosure of STEIGERWALD.

Appellant does not dispute that STEIGERWALD teaches to use screws 38/40 to secure the plate 18 to links 30/32. However, it is not understood how the screws 40 can be interpreted to encircle on all sides any portion of the part 20. The term “surround” means to encircle on all sides simultaneously according to Webster’s II, *New College Dictionary*. Further, even if the Examiner were correct that the screws 38/40 encircle all sides of part 20 (which Appellant disputes), the Examiner must acknowledge that the screws 38/40 in Fig. 1 clearly do not cover or encircle any portion of the other part 28. Thus, it is submitted the Examiner is improperly interpreting or ignoring the claim language, and improperly ignoring what STEIGERWALD actually discloses, in favor of an unsupported assertion of what the Examiner would like STEIGERWALD to disclose.

Thus, the above noted rejection of claim 56 is improper for the reasons stated above and should be reversed.

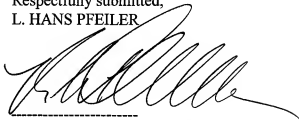
CONCLUSION

Each of claims 31-35, 53, 55 and 56 are patentable under 35 U.S.C. § 102. Specifically, the applied art of record fails to disclose, or even suggest, the unique combination of features recited in Appellant’s claims 31-35, 53, 55 and 56. Accordingly, Appellant respectfully requests that the Board reverse the decision of the Examiner to finally reject claims 31-35, 53, 55 and 56 under 35 U.S.C. § 102, and remand the application to the Examiner for withdrawal of the above-noted rejections.

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The Commissioner is hereby authorized to charge any additional fees concerning the application to Deposit Account No. 19-0089.

Respectfully submitted,
L. HANS PFEILER

A handwritten signature in black ink, appearing to read 'Robert W. Mueller', is written over a horizontal dashed line.

July 30, 2007
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Attachments: Claims Appendix, Evidence Appendix, and Related Proceedings Appendix

(VIII) CLAIMS ON APPEAL

31. A method for joining parts having a profiled cross-section and a length which is greater than an overall width of the profiled cross-section by friction welding using a device for joining faces of parts having great longitudinal extension by friction welding, the device comprising first and second clamping arrangements structured and arranged to position ends of the parts against one another, at least one of the first and second clamping arrangements being axially movable with respect to another of the first and second clamping arrangements, and at least one of the first and second clamping arrangements being movable along a direction that is parallel to a part cross-sectional plane defined by an end face of one of the parts, the method comprising:

arranging ends of the parts opposite one another, wherein the ends are provided with flat axially normal cross-sectional surfaces;

pressing the cross-sectional surfaces against one another and moving an axis of at least one of the parts relative to an axis of another of the parts, such that face areas of the ends are brought to one of an increased temperature or a joining temperature;

axially aligning the parts; and;

metallically bonding the parts,

wherein, during the pressing, the parts do not rotate and at least one of the ends of the parts is moved around a joint axis in a circulating manner.

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32. The method of claim 31, further comprising, after the axially aligning, forcing the ends of the parts together.

33. A method for joining parts having a profiled cross-section and a length which is greater than an overall width of the profiled cross-section by friction welding, the method comprising:

arranging ends of the parts opposite one another, wherein the ends are provided with flat axially normal cross-sectional surfaces;

pressing the cross-sectional surfaces against one another by moving at least one of the ends axially relative to another of the ends, such that face areas of the ends are brought to one of an increased temperature or a joining temperature;

axially aligning the parts; and

metallically bonding the parts,

wherein, during the pressing, the parts do not rotate and at least one of the ends of the parts is moved around a joint axis in a circulating manner.

34. The method of claim 33, further comprising, after the axially aligning, forcing the ends of the parts together to produce an all-over metallic bonding of the ends of the parts.

35. The method of claim 33, wherein the pressing produces a weld area and takes place under increased pressure.

53. A method for joining two parts having a length which is greater than an overall width of the profiled cross-section by friction welding using a device for friction welding parts, the device comprising first and second clamping arrangements structured and arranged to position ends of the parts against one another, at least one of the first and second clamping arrangements being axially movable with respect to another of the first and second clamping arrangements, first and second moving devices for respectively moving the first and second clamping arrangements along a direction that is parallel to a part cross-sectional plane, and first and second control devices for controlling movement of the first and second moving devices, wherein the part cross-sectional plane is defined by an end face of one of the parts, the method comprising:

clamping the parts in first and second clamping arrangements, the first clamping arrangement surrounding a portion of one of the parts and the second clamping arrangement surrounding a portion of another of the parts;

arranging ends of the two parts opposite one another;

pressing the ends against one another by moving at least one of the ends axially relative to another of the ends;

moving the ends relative to each other along a direction which is parallel to an end surface of at least one of the ends;

axially aligning the parts; and

metallically bonding the ends of the two parts,

wherein, during the pressing, the parts do not rotate and at least one of the ends of the parts is moved around a joint axis in a circulating manner.

55. The method of claim 31, further comprising clamping the parts in first and second clamping arrangements, the first clamping arrangement surrounding a portion of one of the parts and the second clamping arrangement surrounding a portion of another of the parts.

56. The method of claim 33, further comprising clamping the parts in first and second clamping arrangements, the first clamping arrangement surrounding a portion of one of the parts and the second clamping arrangement surrounding a portion of another of the parts.

(IX) EVIDENCE APPENDIX

This section lists evidence submitted pursuant to 35 C.F.R. §§1.130, 1.131, or 1.132, or any other evidence entered by the Examiner and relied upon by Appellant in this appeal, and provides for each piece of evidence a brief statement setting forth where in the record that evidence was entered by the Examiner. Copies of each piece of evidence are provided as required by 35 C.F.R. §41.37(c)(ix).

NO.	EVIDENCE	BRIEF STATEMENT SETTING FORTH WHERE IN THE RECORD THE EVIDENCE WAS ENTERED BY THE EXAMINER
1	N/A	N/A

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(X) RELATED PROCEEDINGS APPENDIX

Pursuant to 35 C.F.R. §41.37(c)(x), copies of the following decisions rendered by a court of the Board in any proceeding identified above under 35 C.F.R. §41.37(c)(1)(ii) are enclosed herewith.

NO.	TYPE OF PROCEEDING	REFERENCE NO.	DATE
1	N/A	N/A	N/A